



## THE SUPREME COURT OF TEXAS

Orders Pronounced August 14, 2003

### ORDERS ON PETITIONS FOR REVIEW

#### THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:

- 03-0418 CYNTHIA M. WHITE, AS PARENT AND NEXT FRIEND OF GEARRIN M. WHITE v. DR. CAROL THOMAS, INDIVIDUALLY AND AS SUPERINTENDENT OF BEAUMONT INDEPENDENT SCHOOL DISTRICT AND BEAUMONT INDEPENDENT SCHOOL DISTRICT; from Jefferson County; 9th district (09-02-00313-CV, 102 SW3d 318, 03-20-03)  
as amended
- 03-0432 MIKE LEDBETTER v. DAVID LEDBETTER, ANN RAMSEY; from Denton County; 2nd district (02-02-00248-CV, \_\_\_ SW3d \_\_\_, 02-20-03)
- 03-0504 JOHN T. JOSEY, U.S. CITIZEN v. BELL COUNTY LAW ENFORCEMENT CENTER, SHERIFF DAN SMITH, JAIL ADMINISTRATOR, R.W. PATTERSON, ET AL.; from Bell County; 3rd district (03-02-00612-CV, \_\_\_ SW3d \_\_\_, 03-13-03)  
as redrafted
- 03-0508 IN THE INTEREST OF D.S., A MINOR CHILD; from Fort Bend County; 1st district (01-02-00070-CV, \_\_\_ SW3d \_\_\_, 04-24-03)
- 03-0513 EDWARD A. SMITH, JR. v. NATIONAL ADVERTISING CO.; from Harris County; 1st district (01-01-00745-CV, \_\_\_ SW3d \_\_\_, 02-27-03)  
  
(Justice Schneider not sitting)
- 03-0516 KAREN CORP. v. THE BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY; from Tarrant County; 2nd district (02-02-00018-CV, 107 SW3d 118, 04-24-03)
- 03-0518 GILBREATH AND CMC SCAFFOLDING v. JAMES H. HATHAWAY, JR.; from Montgomery County; 9th district (09-02-00350-CV, 108 SW3d 365, 04-24-03)
- 03-0519 BEACON NATIONAL INSURANCE COMPANY v. BOB AND JEAN GLAZE; from Upshur County; 12th district (12-02-00212-CV, \_\_\_ SW3d \_\_\_, 03-31-03)

03-0587 A.G.E., INC. v. HENDERSON L. BUFORD, III; from Travis County; 3rd district (03-02-00198-CV, 105 SW3d 667, 03-20-03)

03-0593 WILLIAM GRANT DORSETT v. NANCY SWANSON CROSS; from Harris County; 1st district (01-01-00739-CV, 106 SW3d 213, 03-27-03)

(Justice Schneider not sitting)

03-0598 REFUGIO ARTURO SIAS v. ZENITH INSURANCE COMPANY; from El Paso County; 8th district (08-02-00371-CV, \_\_\_ SW3d \_\_\_, 05-22-03)

03-0615 HARRIET LESIKAR AND LYNWOOD LESIKAR v. JENNY LOU LEWIS RAPPEPORT, ET AL.; from Gregg County; 6th district (06-02-00048-CV, 104 SW3d 310, 04-29-03)

THE FOLLOWING PETITIONS FOR REVIEW ARE STRUCK PURSUANT TO  
TEXAS RULE OF APPELLATE PROCEDURE 9.4(i):

03-0724 MARK GUSTAFSON AND CPR RESOURCES, INC. v. CITY OF AUSTIN AND REMEDIOS P. MORRIS; from Travis County; 3rd district (03-02-00563-CV, \_\_\_ SW3d \_\_\_, 06-26-03)

The Court strikes the petition for review with the following notations: "The petition violates TEX. R. APP. P. 9.4(e) and is struck. Petitioner is ordered to redraw; the redrawn petition is due to be filed no later than 5:00 p.m., August 25, 2003."

03-0732 GEORGE KONDOS AND CAROL KONDOS v. BERNARD V. CARRICO, JR. AND JUDITH A. CARRICO; from Denton County; 2nd district (02-02-00112-CV, \_\_\_ SW3D \_\_\_, 04-24-03)

The Court strikes the petition for review with the following notations: "The petition violates TEX. R. APP. P. 9.4(e) and is struck. Petitioner is ordered to redraw; the redrawn petition is due to be filed no later than 5:00 p.m., August 25, 2003."

## **ORDERS ON MOTIONS FOR REHEARING**

### **THE MOTIONS FOR REHEARING OF THE FOLLOWING PETITIONS FOR REVIEW ARE DENIED:**

- 02-0583 WILLIE MAE HARRIS v. MICKEY D. MORGAN, M.D.; from Collin County; 5th district (05-01-00333-CV, RULE 47.7, 04-05-02)
- 02-0958 A. E. JOHNSON v. ELAYYAN MAJED, ET AL.; from Harris County; 14th district (14-01-00381-CV, RULE 47.7, 05-09-02)
- 03-0077 RAUL RODRIGUEZ, INDIVIDUALLY, MARY RODRIGUEZ, INDIVIDUALLY, AND MERCEDES RODRIGUEZ, BY HER NEXT FRIEND, MARY RODRIGUEZ (ALTERNATIVELY RAUL RODRIGUEZ) v. R. TODD MAXSON, M.D., A/K/A ROBERT T. MAXSON, M.D. A/K/A ROBERT TODD MAXSON, M.D. A/K/A TODD MAXSON, M.D. A/K/A ROBERT MAXSON, M.D. AND AUSTIN PEDIATRIC SURGERY ASSOCIATION, P.A. A/K/A AUSTIN PEDIATRIC SURGERY ASSOCIATION A/K/A AUSTIN PEDIATRIC SURGERY ASSOCIATES, P.A. A/K/A AUSTIN PEDIATRIC SURGERY ASSOCIATES; from Travis County; 3rd district (03-02-00047-CV, RULE 47.7, 12-19-02)
- 03-0337 DIANE PEARL CORONA AND GILBERT CORONA v. THALIA CHANEY; from Bexar County; 4th district (04-02-00826-CV, 103 SW3d 608, 02-28-03)
- 03-0560 IN RE EMILY ALBRINK FOWLER HARTIGAN

## **MISCELLANEOUS**

### **THE FOLLOWING PETITIONS FOR WRIT OF MANDAMUS ARE DENIED:**

- 03-0601 IN RE RICHARD AND JANET ACEVEDO
- 03-0726 IN RE RICK PERRY, GOVERNOR OF THE STATE OF TEXAS, AND DAVID DEWHURST, LIEUTENANT GOVERNOR OF THE STATE OF TEXAS AND PRESIDENT OF THE TEXAS SENATE

(Order delivered August 11, 2003)

**AMENDED ORDER**

03-0726      IN RE RICK PERRY, GOVERNOR OF THE STATE OF TEXAS, AND  
DAVID DEWHURST, LIEUTENANT GOVERNOR OF THE STATE OF  
TEXAS AND PRESIDENT OF THE TEXAS SENATE

Justice Hecht, Justice Owen, and Justice Smith concur in the denial of the petition for writ of mandamus but would add the notation: "The Court denies the petition for writ of mandamus without regard to the merits of the constitutional arguments."

(Order delivered August 11, 2003)